



12-18-08 JFM AF

IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE

Serial No. : 10/577,982

Applicant : Makoto KOIZUMI

Filed : May 2, 2006

For : OLIGONUCLEOTIDES HAVING A  
2'-O,4'-C-ETHYLENE NUCLEOTIDE  
IN THE THIRD POSITION OF THE  
3'-END

Art Unit : 1637

Examiner : Mark STAPLES

Docket No. : 06189/HG

Confirm No. : 2978

Customer No.: 01933

NOTICE OF APPEAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R :

An Appeal is taken to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed August 20, 2008 finally rejecting claims 1, 5, 12 to 43 and 52 to 54.

The term for filing the NOTICE OF APPEAL is extended one month by a PETITION FOR EXTENSION OF TIME filed concomitantly herewith to expire on December 20, 2008.

A Form PTO-2038 in the amount of \$540 is enclosed herewith in payment of the Appeal fee, as required by 37 CFR 41.20 (b) (1).

Respectfully submitted,

Frishauf, Holtz, Goodman  
& Chick, P.C.  
220 Fifth Avenue, 16th Fl.  
New York, NY 10001-7708  
Tel. Nos. (212) 319-4900  
(212) 319-4551/Ext. 219  
Fax No.: (212) 319-5101  
E-Mail Address: BARTH@FHGC-LAW.COM  
RSB/ddf

Richard S. Barth  
Reg. No. 28,180

12/18/2008 CCHAU1 00000018 10577982

02 FC:1401

540.00 OP

Express Mail Mailing Label  
No.: EM 361 417 495 US  
Date of Deposit: December 17, 2008  
I hereby certify that this paper is  
being deposited with the United States  
Postal Service "Express Mail Post  
Office to Addressee" service under  
37 CFR 1.10 with sufficient postage  
on the date indicated above and is  
addressed to:  
Commissioner for Patents,  
P.O. Box 1450  
Alexandria, VA 22313-1450

*Dorothy DeFrancesco*  
Dorothy DeFrancesco

In the event that this Paper is late  
filed, and the necessary petition  
for extension of time is not filed  
concurrently herewith, please consider  
this as a Petition for the requisite  
extension of time, and to the extent  
not tendered by Form PTO-2038 attached  
hereto, authorization to charge the  
extension fee, or any other fee  
required in connection with this  
Paper to Account No. 06-1378.

Encs.: (1) Form PTO-2038; (2) PETITION FOR EXTENSION OF TIME